United Nations A/58/734–S/2004/205

General Assembly
Security Council

Distr.: General
15 March 2004

Original: English

General Assembly
Fifty-eighth session
Agenda items 37 and 84

Security Council
Fifty-ninth year

The situation in the Middle East

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Identical letters dated 15 March 2004 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I am transmitting herewith a letter concerning recent Israeli practices in the occupied Syrian Golan (see annex).

I should be grateful if the letter could be circulated as a document of the fifty-eighth session of the General Assembly, under agenda items 37 and 84, and of the Security Council.

(*Signed*) Fayssal **Mekdad**
Ambassador
Permanent Representative

04-27139 (E) 170304 170304

Annex to the identical letters dated 15 March 2004 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic]

On 4 March 2004, the Israeli occupation authorities proceeded to confiscate further territory in the occupied Syrian Golan following a series of decisions to a similar effect, the latest of which involved the appropriation of land belonging to a *waqf* (Islamic religious trust) in the village of Mas'ada, having an area of 354 dunums and owned by Syrian Arab nationals. The occupation forces next uprooted approximately 1,800 fruit-bearing trees, some of which were hundreds of years old.

This hostile escalation comes on the heels of the Israeli Government's recent approval of the establishment of nine new settlement units, the construction of 900 new houses and the allocation of the necessary funds for the implementation of the current Israeli Government's plan to multiply the number of Israeli settlers in the territory of the occupied Syrian Golan and expand the existing Israeli settlements. This represents a feverish attempt to impose a de facto situation internationally and to nip in the bud any international diplomatic efforts that might lead to a just and comprehensive solution in the region. It should be noted in particular that these actions came after the Government of the Syrian Arab Republic announced its willingness to resume the peace process from the point reached in the talks, on the basis of the resolutions of international legitimacy, while at the same time there have been growing international calls for a halt to settlement and a return to the negotiating table.

This aggressive Israeli escalation is in line with Israel's constant flouting of the relevant resolutions of international legitimacy, in particular Security Council resolution 497 (1981), in which the Council emphasized the illegality of the practices and measures adopted by Israel in the occupied Syrian Golan, considering them null and void and without legal effect. In addition, there are dozens of General Assembly resolutions, the latest of which is resolution 58/100 of 9 December 2003, entitled "The occupied Syrian Golan", on which the ink is not yet dry. In that resolution the international community "reaffirms that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations" and "calls upon Israel, the occupying Power, to comply with" international resolutions and to withdraw from Syrian Golan territory. We may recall in this connection that dozens of international resolutions have condemned Israel for its flagrant violation of the four Geneva Conventions of 1949 relating to the protection of civilian persons in time of war and called upon it to desist from its repressive measures against the population of the occupied Syrian Golan.

In a response to the tyrannical measures adopted by the occupation, the residents of the occupied Syrian Golan have defied the onslaught and declared a peaceful general strike. They have adopted 14 March 2004 as a day for defending the land and defying the occupation authorities by replanting the land and protecting it. They have issued a declaration in which they express their absolute rejection of expansionist practices aimed at confiscating and plundering their land. They have called on the international community to expose the Israeli acts of aggression

against them, which run counter to every international covenant, in particular the Geneva Convention on the protection of populations living under occupation.

The Government of the Syrian Arab Republic sees in the decision to increase the number of settlers and expand settlement in the occupied Golan, adopted by the Israeli Government on 31 December 2003, a clear indication of Israel's true intentions in scorning the relevant Security Council and General Assembly resolutions, namely to undermine the peace process, aggravate the situation in the Middle East and gobble up the occupied territories. Peace is incompatible with occupation and with any step to entrench the occupation rather than putting an end to it in accordance with the principle of land for peace. The Syrian Arab Republic urges the Secretary-General of the United Nations and the Security Council to take all necessary measures to curb Israel and deter it from persisting in such practices, which threaten to escalate the already tense situation in the region, stand in contrast to any genuine effort to achieve a just and comprehensive peace in the Middle East and pose a serious setback to the peace process for which Israel alone will bear the consequences.

Please have this letter circulated as a document of the General Assembly, under items 37 and 84 of the agenda of its fifty-eighth session, and of the Security Council.

(*Signed*) Fayssal **Mekdad**
Ambassador
Permanent Representative